

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

STEPHANIE JONES,

Plaintiff,

v.

FOX ROTHSCHILD LLP and IAN W.  
SIMINOFF,

Defendants.

Case No. 2:20-cv-06312-SDW-LDW

**CERTIFICATION OF ROSEMARY S.  
GOUSMAN IN OPPOSITION TO  
PLAINTIFF'S MOTION FOR LEAVE  
TO AMEND THE COMPLAINT**

ROSEMARY S. GOUSMAN, of full age, hereby certifies as follows:

1. I am an attorney duly admitted to practice before this Court. I am also a partner in the law firm Fisher & Phillips LLP, attorneys for Defendant Fox Rothschild LLP in the above matter, and have primary responsibility for its defense. In that capacity, I have personal knowledge of the facts set forth in this Certification.

2. Attached hereto as **Exhibit A** is a true and correct copy of the Docket of Plaintiff's appeal of this matter to the Third Circuit.

3. Attached hereto as **Exhibit B** is a true and correct of the Third Circuit's November 25, 2020 Order listing Plaintiff's appeal for possible dismissal for lack of appellate jurisdiction (Third Circuit Docket Entry 3).

4. Attached hereto as **Exhibit C** is a true and correct copy of the Third Circuit's June 30, 2021 Order and Entry of Judgment dismissing Plaintiff's appeal for lack of appellate jurisdiction (Third Circuit Docket Entry 16).

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct

Executed on October 29, 2021.

*s/Rosemary S. Gousman*  
ROSEMARY S. GOUSMAN

# Exhibit A

**General Docket  
Third Circuit Court of Appeals**

**Court of Appeals Docket #:** 20-3388  
**Nature of Suit:** 3442 Jobs  
 Stephanie Jones v. Fox Rothschild LLP, et al  
**Appeal From:** United States District Court for the District of New Jersey  
**Fee Status:** Paid

**Docketed:** 11/25/2020  
**Termed:** 06/30/2021

**Case Type Information:**

- 1) civil
- 2) private
- 3) civil rights

**Originating Court Information:**

**District:** 0312-2 : [2-20-cv-06312](#)  
**Trial Judge:** Susan D Wigenton, U.S. District Judge  
**Date Filed:** 05/26/2020  
**Date Order/Judgment:** 10/21/2020

**Date Order/Judgment EOD:**  
 10/21/2020

**Date NOA Filed:**  
 11/20/2020

**Prior Cases:**

None

**Current Cases:**

None

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 Plaintiff - Appellant

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v.

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 Defendant - Appellee

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STEPHANIE JONES,  
Appellant

v.

FOX ROTHSCHILD LLP; IAN W. SIMINOFF

11/25/2020	<input type="checkbox"/> <a href="#">1</a>	CIVIL CASE DOCKETED. Notice filed by Appellant Stephanie Jones in District Court No. 2-20-cv-06312. (AMR) [Entered: 11/25/2020 03:24 PM]
11/25/2020	<input type="checkbox"/> <a href="#">2</a>	RECORD available on District Court CM/ECF. (AMR) [Entered: 11/25/2020 03:30 PM]
11/25/2020	<input type="checkbox"/> <a href="#">3</a>	ORDER (Clerk) advising that the case has been listed for possible dismissal due to jurisdictional defect. (AMR) [Entered: 11/25/2020 03:39 PM]
12/01/2020	<input type="checkbox"/> <a href="#">4</a>	ECF FILER: ENTRY OF APPEARANCE from Rosemary S. Gousman on behalf of Appellee(s) Fox Rothschild LLP. [20-3388] (RSG) [Entered: 12/01/2020 03:00 PM]
12/01/2020	<input type="checkbox"/> <a href="#">5</a>	ECF FILER: ENTRY OF APPEARANCE from David J. Treibman on behalf of Appellee(s) Fox Rothschild LLP. [20-3388] (DJT) [Entered: 12/01/2020 03:02 PM]
12/03/2020	<input type="checkbox"/> <a href="#">6</a>	ECF FILER: ENTRY OF APPEARANCE from Meredith Cavallaro on behalf of Appellee(s) Ian W. Siminoff. [20-3388] (MR) [Entered: 12/03/2020 12:54 PM]
12/03/2020	<input type="checkbox"/> <a href="#">7</a>	ECF FILER: ENTRY OF APPEARANCE from Courtney Fain on behalf of Appellee(s) Ian W. Siminoff. [20-3388] (CPF) [Entered: 12/03/2020 12:58 PM]
12/07/2020	<input type="checkbox"/> <a href="#">8</a>	ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellant Stephanie Jones advising this court that transcripts are not needed. [20-3388] (RTV) [Entered: 12/07/2020 04:21 PM]
12/07/2020	<input type="checkbox"/> <a href="#">9</a>	ECF FILER: ENTRY OF APPEARANCE from Robert T Vance Jr on behalf of Appellant(s) Stephanie Jones. [20-3388] (RTV) [Entered: 12/07/2020 04:22 PM]
12/07/2020	<input type="checkbox"/> <a href="#">10</a>	ECF FILER: Concise Summary of the Case filed by Appellant Stephanie Jones. [20-3388] (RTV) [Entered: 12/07/2020 04:24 PM]
12/07/2020	<input type="checkbox"/> <a href="#">11</a>	ECF FILER: CIVIL INFORMATION STATEMENT on behalf of Appellant Stephanie Jones. [20-3388] (RTV) [Entered: 12/07/2020 04:25 PM]
12/08/2020	<input type="checkbox"/> <a href="#">12</a>	ECF FILER: DISCLOSURE STATEMENT on behalf of Appellant Stephanie Jones. [20-3388] (RTV) [Entered: 12/08/2020 12:11 PM]
12/09/2020	<input type="checkbox"/> <a href="#">13</a>	ECF FILER: Response filed by Appellee Fox Rothschild LLP to clerk order. Certificate of Service dated 12/09/2020. [20-3388] (RSG) [Entered: 12/09/2020 03:40 PM]
12/09/2020	<input type="checkbox"/> <a href="#">14</a>	ECF FILER: Response filed by Appellant Stephanie Jones to the Order Dated November 25, 2020. [20-3388]--[Edited 05/06/2021 by CJG] (RTV) [Entered: 12/09/2020 04:52 PM]
12/09/2020	<input type="checkbox"/> <a href="#">15</a>	ECF FILER: Response filed by Appellee Ian W. Siminoff to clerk order advising of possible dismissal. Certificate of Service dated 12/09/2020. [20-3388] (CPF) [Entered: 12/09/2020 05:54 PM]
06/30/2021	<input type="checkbox"/> <a href="#">16</a>	ORDER (RESTREPO, MATEY and SCIRICA, Circuit Judges) The appeal is dismissed for lack of appellate jurisdiction. The plaintiff appealed an order dismissing most—but not all—of her claims. In particular, her Title VII claim against one defendant was not dismissed. This is not an appealable “final decision[]” under 28 U.S.C. § 1291. The plaintiff does not contend the order is otherwise immediately appealable. This does not prejudice the plaintiff’s right to seek a certification under Federal Rule of Civil Procedure 54(b). Such relief must be sought from the district court, not this Court. Panel No.: CCO-088. Scirica, Authoring Judge. (SB) [Entered: 06/30/2021 11:15 AM]

Clear All

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- ☐ Documents Only
- ☐ Include Page Numbers

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Third Circuit - 10/22/2021 17:01:28			
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Description:	Docket Report (filtered)	Search Criteria:	20-3388
Billable Pages:	2	Cost:	0.20



# Exhibit B



# Exhibit C

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CCO-088

No. 20-3388

Stephanie Jones,  
Appellant

v.

Fox Rothschild LLP; Ian W. Siminoff  
(D.N.J. No. 2-20-cv-06312)

Present: RESTREPO, MATEY and SCIRICA, Circuit Judges

1. Clerk's Submission for Possible Jurisdictional Defect;
2. Response filed by Appellee, Fox Rothschild to address the issue of appellate jurisdiction;
3. Response filed by Appellant regarding jurisdiction
4. Response filed by Appellee, Ian W. Siminoff to address the issue of appellate jurisdiction

Respectfully,  
Clerk/sb

ORDER

The plaintiff appealed an order dismissing most—but not all—of her claims. In particular, her Title VII claim against one defendant was not dismissed. This is not an appealable “final decision[.]” under 28 U.S.C. § 1291. See, e.g., Berkeley Inv. Grp., Ltd., v. Colkitt, 259 F.3d 135, 140 (3d Cir. 2001) (“Ordinarily, an order which terminates fewer than all claims, or claims against fewer than all parties, does not constitute a ‘final’ order.”). The plaintiff does not contend the order is otherwise immediately appealable. The appeal is therefore DISMISSED for lack of appellate jurisdiction.

This does not prejudice the plaintiff's right to seek a certification under Federal Rule of Civil Procedure 54(b). Such relief must be sought from the district court, not this Court. See Fed. R. Civ. P. 54(b); Elliott v. Archdiocese of N.Y., 682 F.3d 213, 219–23 (3d Cir. 2012); Berkeley Inv. Grp., Ltd., 259 F.3d at 140–41, 145.

By the Court,

s/Anthony J. Scirica  
Circuit Judge

Dated: June 30, 2021  
Sb/cc: All Counsel of Record



**A True Copy:**

*Patricia S. Dodszeit*

Patricia S. Dodszeit, Clerk  
Certified Order Issued in Lieu of Mandate

OFFICE OF THE CLERK

**PATRICIA S. DODSZUWEIT**

**CLERK**



**UNITED STATES COURT OF APPEALS**

21400 UNITED STATES COURTHOUSE  
601 MARKET STREET

PHILADELPHIA, PA 19106-1790

Website: [www.ca3.uscourts.gov](http://www.ca3.uscourts.gov)

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June 30, 2021

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RE: Stephanie Jones v. Fox Rothschild LLP, et al  
Case Number: 20-3388

District Court Case Number: 2-20-cv-06312

ENTRY OF JUDGMENT

Today, **June 30, 2021** the Court issued a case dispositive order in the above-captioned matter which serves as this Court's judgment. Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Form Limits:

3900 words if produced by a computer, with a certificate of compliance pursuant to Fed. R. App. P. 32(g).

15 pages if hand or type written.

Attachments:

A copy of the panel's opinion and judgment only.

Certificate of service.

Certificate of compliance if petition is produced by a computer.

No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. Pursuant to Fed. R. App. P. 35(b)(3), if separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to the form limits as set forth in Fed. R. App. P. 35(b)(2). If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,

s/Patricia S. Dodszuweit,  
Clerk

By: Stephanie  
Case Manager  
267-299-4926